

A REGULAR MEETING OF THE FAUQUIER COUNTY BOARD OF SUPERVISORS  
WAS HELD MAY 21, 1996 AT 1:30 P.M. IN WARRENTON, VIRGINIA

P R E S E N T

Mr. David C. Mangum, Chairman; Mr. James G. Brumfield, Vice Chairman;  
Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks;  
Mr. G. Robert Lee, County Administrator; Mr. Paul S. McCulla, County Attorney

EROSION AND SEDIMENT CONTROL UPDATE -- JOHN MARSHALL SOIL AND  
WATER CONSERVATION DISTRICT

Members of the John Marshall Soil and Water Conservation District and  
staff conducted a work session to give an update on the Erosion and Sediment  
Control Program.

DETENTION CENTER UPDATE

A work session was held to receive an update on the detention center  
project. Rene Stevens, Project Coordinator, will meet with Board members on a  
weekly basis to assure complete project communication.

CORRAL FARM MASTER PLAN -- CHARLES FLAMMIA

Charles Flammia presented a diagram of the Corral Farm Master Plan,  
including recreation areas, Lord Fairfax Community College, Landfill and open  
space.

RAILROAD ALIGNMENT IMPROVEMENT STUDY: CITY OF MANASSAS, PRINCE  
WILLIAM AND FAUQUIER COUNTIES

Chris Reed and Carolyn Panker, of VDOT's Northern Virginia District Office, John DePasquale of VDOT's Culpeper District Office, Bob Moore of VDOT's Warrenton Residency Office, Mark White and Mike Todd of VDOT's Richmond Headquarters, and John Maddox of the consultant firm of Whitman Requardt and Associates, Inc. were present to answer Board questions and concerns regarding the Railroad Alignment Improvement Study.

INNOVATIVE TECHNOLOGY -- TREE BUFFERS AND #18 SCHOOL PROJECT

Paddy Katzen, members of Keep Fauquier Clean, Inc., and student volunteers from Central and Mary Walter Elementary Schools conducted a work session on the project at #18 Schoolhouse in Marshall and on Poplar Buffers.

The meeting was reconvened in Regular Session at 6:30 p.m. in the Warren Green Meeting Room.

ADOPTION OF THE AGENDA

Mr. Brumfield moved to adopt the agenda subject to moving executive session to the end of the meeting and to removing 1997 VACo Legislative Program from the Consent Agenda for discussion. Mr. Green seconded, and the

vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur  
W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

#### CERTIFICATE OF APPRECIATION - W.C. BROWN

Mr. Burton presented W.C. Brown with a certificate of appreciation on  
behalf of the Johnson Grass Committee.

#### CONSENT AGENDA

Mr. Brumfield moved to adopt the following Consent Agenda items. Mr.  
Weeks seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur  
W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

Approval of the Minutes of the March 23, 1996 and April 30, 1996 Adjourned  
Meetings and the April 16, 1996 and May 7, 1996 Regular Meetings

A Resolution to Accept and Authorize Execution of Virginia Department of Aviation  
Ground Communications Outlet (GCO) Grant Agreement for Warrenton-Fauquier  
Airport

RESOLUTION

A RESOLUTION TO ACCEPT AND AUTHORIZE EXECUTION OF VIRGINIA  
DEPARTMENT OF AVIATION GROUND COMMUNICATIONS OUTLET GRANT  
AGREEMENT FOR WARRENTON-FAUQUIER AIRPORT

WHEREAS, the County of Fauquier has submitted applications for State  
funding grants from the Virginia Department of Aviation (VDOA) for development  
of the Warrenton-Fauquier Airport; and

WHEREAS, the Virginia Department of Aviation has approved a project grant for  
the acquisition and installation of a Ground Communications Outlet (GCO) including  
associated telephone line, and issued a Grant Agreement dated 19 April 1996 (VDOA  
Project No. FE0068-06) for acceptance and execution by the appropriate Fauquier  
County official, with the maximum obligation of the  
Commonwealth of Virginia under the grant not to exceed \$10,000 and the grant  
being subject to certain terms and conditions as contained in said Grant  
Agreement; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 21st day of  
May 1996, That the Grant Agreement dated 19 April 1996, issued by the Virginia  
Department of Aviation (VDOA Project No. FE0068-06), for acquisition and  
installation of a Ground Communications Outlet (GCO) including associated  
telephone line, for the Warrenton-Fauquier Airport be, and is hereby, accepted;

and, be it

RESOLVED FURTHER, That the Chairman of the Fauquier County Board of Supervisors be, and is hereby, authorized to sign on behalf of the County the said Grant Agreement and any other necessary grant documentation.

A Resolution to Accept and Authorize Execution of Virginia Department of Aviation Storm Water Pollution Prevention Plan Grant Agreement for Warrenton-Fauquier Airport

RESOLUTION

A RESOLUTION TO ACCEPT AND AUTHORIZE EXECUTION OF  
VIRGINIA DEPARTMENT OF AVIATION STORM WATER  
POLLUTION PREVENTION PLAN GRANT AGREEMENT  
FOR WARRENTON-FAUQUIER AIRPORT

WHEREAS, the County of Fauquier has submitted applications for State funding grants from the Virginia Department of Aviation (VDOA) for development of the Warrenton-Fauquier Airport; and

WHEREAS, the Virginia Department of Aviation has approved a project grant for preparation of a Storm Water Pollution Prevention Plan, and issued a Grant Agreement dated 25 April 1996 (VDOA Project No. CS0068-04) for acceptance and execution by the appropriate Fauquier County official, with the maximum obligation of the Commonwealth of Virginia under the grant not to exceed \$2,400 and the grant being subject to certain terms and conditions as contained in said Grant Agreement; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 21st day of May 1996, That the Grant Agreement dated 25 April 1996, issued by the Virginia Department of Aviation (VDOA Project No. CS0068-04), for preparation of a Storm Water Pollution Prevention Plan for the Warrenton-Fauquier Airport be, and is hereby, accepted; and, be it

RESOLVED FURTHER, That the Chairman of the Fauquier County Board of Supervisors be, and is hereby, authorized to sign on behalf of the County the said Grant Agreement and any other necessary grant documentation.

A Resolution to Authorize the Demolition of the Fire Damaged Structure Located at 8027 Frytown Road Pursuant to Section 5.5 of the Code of Fauquier County

#### RESOLUTION

A RESOLUTION TO AUTHORIZE THE DEMOLITION OF THE FIRE DAMAGED  
STRUCTURE LOCATED AT 8027 FRYTOWN ROAD PURSUANT TO SECTION 5.5  
OF THE CODE OF FAUQUIER COUNTY

WHEREAS, Earnest L. Glascock and Mary M. Rothgeb are owners of a residence located at 8027 Frytown Road, Warrenton, Virginia, and listed on the County land records as PIN 6994-21-5478-000; and

WHEREAS, the aforesaid residence was damaged by fire; and

WHEREAS, the residence has been found by Roger Boswell, Building Official for the County of Fauquier, to be an unsafe structure and a threat to the health and safety of the Frytown community; and

WHEREAS, Fauquier County Building Official Roger Boswell has ordered that the structure be repaired or removed; and

WHEREAS, the owners are without the financial resources to repair or remove the structure; and

WHEREAS, S.W. Rodgers, Inc. ("Contractor") is willing to donate its services to remove and dispose of the unsafe structure at no cost to the owners or Fauquier County; and

WHEREAS, the County is willing to procure a demolition permit and pay the tipping fees for the disposal of said structure at no cost to the Contractor; and

WHEREAS, Section 5.5 of the Code of Fauquier County requires charge-back to the owner of any costs incurred by the County and the decision as to whether to affirmatively pursue the collection of the costs from the owner is a Board of Supervisors decision; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 21st day of May 1996, That the County Administrator be, and is hereby, directed to execute a Memorandum of Understanding between S. W. Rodgers, Inc. and Fauquier County pursuant to the terms and conditions noted above; and be it

RESOLVED FURTHER, That the Board of Supervisors does hereby direct that no affirmative action will be taken against the owner to collect the aforementioned costs incurred by Fauquier County.

Preliminary Subdivision Application - El Dorado Subdivision

No action was taken.

A RESOLUTION OF COMMENDATION AND CONTRACTUAL OBLIGATION FOR  
JOHN V. DOANE, FAUQUIER COUNTY CONSOLIDATED SERVICES  
ADMINISTRATOR

Mr. Burton moved to adopt the following resolution. Mr. Weeks seconded,  
and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur  
W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

RESOLUTION

A RESOLUTION OF COMMENDATION AND CONTRACTUAL  
OBLIGATION FOR JOHN V. DOANE, FAUQUIER COUNTY  
CONSOLIDATED SERVICES ADMINISTRATOR

WHEREAS, John V. Doane began employment with Fauquier County on 1  
November 1993, as the first jointly funded employee of the nascent Functional  
Consolidation Program between the County General Government and School  
Division; and

WHEREAS, John V. Doane came to Fauquier County employment with a distinguished public administration career and with the understanding that his primary mission was to prepare an implementation plan for consolidation of support functions to be shared by the General Government and the School Division and to implement said consolidation program on a phased basis over a three year period; and

WHEREAS, there was an informal reciprocal three year commitment between John V. Doane and Fauquier County to fully achieve the efficiencies, economies, and effectiveness of the consolidation of services and programs between the School Division and General Government; and

WHEREAS, during Mr. Doane's employment with Fauquier County, he declined a number of solicitations and entreaties to apply for other professional positions in the field of public administration and these declinations were based on his aforestated three year commitment to the Fauquier County Consolidated Services Project; and

WHEREAS, budget and other considerations, including the timely and successful implementation of the consolidation plans, suggest that the Office of Consolidated Services Administration can be decommissioned at the beginning of Fiscal Year 1997 with the School Division assuming administrative supervision for the consolidated departments of personnel and support services and the General Government assuming administrative supervision for the consolidated finance department; and

WHEREAS, while some transitional planning for the continuing consolidated services will be required after July 1996, daily administrative supervision of the consolidated departments will be effectively transferred to the School Superintendent and County Administrator; now, therefore be it

RESOLVED by the Fauquier County Board of Supervisors this 21st day of May 1996, That John V. Doane be, and is hereby, commended for the successful implementation of innovative, visionary and cost effective reorganization of local government support services; and, be it

RESOLVED FURTHER, That employment of John V. Doane as Consolidated Services Administrator be terminated as of 30 June 1996 and that he be retained as an independent contractor to Fauquier County for a period not to exceed four months (October 31, 1996) to assist with the transition of the consolidated services operations and other special projects as assigned by the County Administrator and Board of Supervisors; and, be it

RESOLVED FURTHER, That John V. Doane be compensated by monthly vendor payments of \$6,185 per month, based on adequate continuing performance reports; and, be it

RESOLVED FURTHER, That the independent contractor arrangement shall be terminated at such time as John V. Doane has obtained other full time employment or otherwise assumes obligations that make his services unavailable to Fauquier County, however, in no case shall John V. Doane's employment by Fauquier County as an independent contractor exceed October 31, 1996; and, be it

RESOLVED FINALLY, That to the extent a balance exists in the Consolidated Services Fund at the end of Fiscal Year 1996, which balance by law reverts to the General Fund, that balance shall be carried over to Fiscal Year 1997 to fund the contemplated transitional services rendered by John V. Doane.

## 1997 VACo LEGISLATIVE PROGRAM

Mr. Brumfield moved to adopt the following resolution subject to the proposals being flexible in the ability to add to them during the course of 1997. Mr. Burton seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur

W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

## RESOLUTION

A RESOLUTION TO DECLARE THE BOARD OF SUPERVISORS

LEGISLATIVE PROPOSALS FOR THE 1997 GENERAL ASSEMBLY

WHEREAS, the County of Fauquier has a variety of issues and interests which require legislative action by the Virginia General Assembly; and WHEREAS, the Virginia Association of Counties (VACo) has requested submission of such legislative proposals for consideration in the 1997 VACo Legislative Program; and

WHEREAS, the County's interests can be proposed with united support of other localities if contained in the VACo Legislative Program; now, therefore, be it RESOLVED by the Fauquier County Board of Supervisors this 21st day of May 1996, That the following items be, and they are hereby, directed as the County's legislative issues for consideration by the 1997 General Assembly.

## TAX ISSUES:

School Funding - Fauquier County supports legislation that

establishes a floor for state funding of school budgets. To avoid unintentionally "enriching the already rich", the floor would apply to statewide average per-capita, per-student or base-line year levels of expenditures for education. This proposal does not alter or modify the existing composite index, but rather targets jurisdictions like Fauquier County that experience unusual reductions in state aid to education due to unusual demographic phenomenon.

As an alternative, Fauquier County requests support and assistance in working with the appropriate state officials in examining the mechanics of the composite index with the goal of altering same to more equitably reflect Fauquier's true "ability to pay".

Land Use Value Assessments - Fauquier County supports legislation that would authorize local governments in the Commonwealth of Virginia to determine minimum acreage requirements exceeding State minimum regulation for Land Use Value Assessments for Agricultural, Horticultural, or Forestal Real Estate.

#### LAND USE PLANNING ISSUES:

Comprehensive Plans - Fauquier County supports legislation that would require state agencies to give consideration to local comprehensive plans.

Local Authority Issuance of Permits - Fauquier County opposes reintroduction of 1996 General Assembly House Bill 1518 which would limit local authority issuance of special exceptions and special use permits.

Developer Reimbursements - Fauquier County supports legislation that would allow localities to require subsequent developers to reimburse initial developers on a pro rata basis, for off-site improvements provided by initial developers.

Takings - Fauquier County opposes any change in the existing eminent domain laws of the Commonwealth of Virginia or legislative expansion of the now existing property rights for which landowners must be compensated when such rights are affected by ordinance, regulation, legislation or other action taken by any county, city or town within this Commonwealth.

Vested Property Rights - Fauquier County opposes any legislation expanding the vested property rights of owners of land in the areas of zoning, subdivision and site plans beyond the law of vested rights existing within the Commonwealth of Virginia on July 1, 1993.

Manufactured Housing - Fauquier County opposes any further dilution of the zoning and land use regulatory authority of local governments as it pertains to manufactured housing.

Shared Land Use Data - Fauquier County supports efforts of the General Assembly to promote shared land use data and Geographic Information System (GIS) technology among state agencies, PDC's and localities.

Impact Fees - Fauquier County supports local authority for impact fees on new residential construction as an alternative to cash proffers. Impact fees could be assessed for education and off-site road improvements.

#### SOLID WASTE/RECYCLING ISSUES:

Markets for Recyclables - Fauquier County requests the state to

take an active role in developing markets for recyclables.

Deposit on Beverage Containers - Fauquier County supports legislation that would establish a deposit on beverage containers.

Nonbiodegradable Containers - Fauquier County supports legislation to prohibit the use of nonbiodegradable containers whenever safe, degradable alternatives are viable.

#### LOCAL GOVERNMENT ENABLING & SELF DETERMINATION

##### ISSUES:

Increased Local Authority - Fauquier County supports legislation to provide for increased local authority in planning, zoning and revenue matters through a statutory relaxation of the Dillon Rule. The relaxation of the Dillon Rule should not, however, be accompanied by a shift of responsibility for various programs from the state government to local government.

Funding of State Mandated Laws - Fauquier County supports legislation to mandate state funding of state laws requiring local appropriations. Further, Fauquier County requests that the General Assembly place a sunset or reexamination requirement for all legislation adversely impacting local government. Periodic examination of legislation pertaining to mandates and state imposed requirements on local governments is essential to assure that state government officials understand the implications of state mandates on local governments. Sometimes well intended laws do not function as intended and in other cases laws that no longer serve any useful state purpose but impose local burdens

stay on the books because there are no requirements for periodic evaluation.

#### PUBLIC SAFETY ISSUES:

Alternatives to Incarceration for Non-Violent Offenders - Fauquier County exhorts the Commonwealth of Virginia to investigate safe, cost-effective alternatives to incarceration for non-violent offenders in order to reduce state and local jail overcrowding.

Block Grant Funding for Correctional Facilities - Fauquier County supports legislation which requires money appropriated for payment of operational costs for local correctional facilities to be paid in a single block grant to the localities on the first day of the fiscal year for which the appropriations or apportionments are made.

State Pays for Housing State Prisoners - Fauquier County supports increase in what state pays for housing state prisoners in local jails based on state analysis of actual costs incurred by local governments.

RECEIVE PUBLIC COMMENTS ON THE NECESSITY OF CERTAIN  
IMPROVEMENTS

TO THE COUNTY-OWNED WATER SYSTEM LOCATED IN THE VILLAGE OF PARIS,  
INCLUDING ACQUISITION OF A NEW WELL AND EASEMENTS WHICH WILL  
REQUIRE THE ACQUISITION BY CONDEMNATION OF PORTIONS OF TWO  
PARCELS OF REAL PROPERTY

A public hearing was held to receive public comments on the necessity of improvements to the water system located in the Village of Paris, including acquisition of a new well and easements which will require the acquisition by condemnation of portions of two parcels of real property. Alan Byrd and John Sherman spoke in favor of correcting the water situation. Patricia Thomas, Norma Tomblin, and Marie Lovely spoke in opposition to condemnation of property. The public hearing was closed. Mr. Green moved to defer action until the June 4, 1996 meeting and to schedule a meeting with all parties concerned to answer all questions. Mr. Brumfield seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

REZONING REQUEST - HENRY CLAY LANE, JR., OWNER, AND McDONALD'S CORPORATION, APPLICANT

A public hearing was held to consider a request from Henry Clay Lane, Jr. to rezone 1.22 acres of a 26.5 acre parcel from R-4 residential to C-2 Commercial Highway. The property is located on the east side of Winchester Road (Business Route 17) at the northeast side of the intersection with the entrance road to the 17/66 Industrial Park, a portion of PIN #6969-98-4220-000, Marshall District. Gary Solvoni, Alice Faulkner, representing Goose Creek Association, Alberto Garcia, and Armistead Wine spoke in favor of the request. Roy Drone asked that his mother's adjoining property be screened with an eight foot fence. Carol King spoke in opposition. The public hearing was closed. Mr. Green moved to adopt

the following ordinance. Mr. Brumfield seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

#### ORDINANCE

AN ORDINANCE TO APPROVE REZONING REQUEST #RZ 96-M-02,  
MCDONALD'S CORPORATION (HENRY CLAY LANE PROPERTY)

WHEREAS, Henry Clay Lane and the McDonald's Corporation have filed an application to amend the Fauquier County Zoning Map by changing the designation for 1.22 acres of a 26.5 acre parcel in the Marshall Service District from R-4 Residential to C-2 (Commercial Highway); and

WHEREAS, this rezoning request was filed in accordance with all of the provisions of Article 13-202 of the Fauquier County Zoning Ordinance; and

WHEREAS, the Fauquier County Planning Commission held a public hearing on January 25, 1996 regarding this rezoning request and recommended approval; and

WHEREAS, the Board of Supervisors on May 21, 1996, held a public hearing on this Comprehensive Plan Amendment; and

WHEREAS, by the adoption of this Ordinance the Board of Supervisors has

determined that the public necessity, convenience, general welfare, or good zoning practice is satisfied by this amendment to the Fauquier County Zoning map; now, therefore, be it

ORDAINED, by the Fauquier County Board of Supervisors this 21st day of May 1996, That Rezoning Request #RZ 96-M-02 to change the zoning designation for 1.22 acres of a 26.5 acre parcel at the northeast corner of the intersection of Business Route 17 and proposed Route 622, identified as a 1.22 acre part of the parcel identification number 6969-98-4220-000, from R-4 residential to C-2 (Commercial Highway) be, and is hereby, approved subject to the applicant's proffer statement dated May 15, 1996 and the Rezoning Plat dated May 1, 1996 and prepared by Ross, France, and Ratliff.

SPECIAL EXCEPTION - JEFFREY AND PATRICIA LEONARD, AND MIDLAND  
CHURCH OF THE BRETHREN, OWNERS, AND MIDLAND CHRISTIAN ACADEMY,  
APPLICANT - PRIMARY SCHOOL

A public hearing was held to consider a request for special exception approval for Jeffrey and Patricia Leonard and Midland Church of the Brethren to operate a primary school for preschool age through first grade on property located on Old Carolina Road (Route 602) north of Catlett Road (Route 28) in Midland, PIN #7900-44-3251; PIN #7900-44-1117; and PIN #7900-43-3970, Cedar Run District. Greg Ferguson and John King spoke in favor of the request. No one else spoke. The public hearing was closed. Mr. Burton moved to adopt the following resolution. Mr. Weeks seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur

W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

## RESOLUTION

### A RESOLUTION TO APPROVE SPECIAL EXCEPTION

REQUEST #SE96-CR-06

MIDLAND CHRISTIAN ACADEMY

WHEREAS, the applicant, Midland Christian Academy, is requesting a special exception to operate a primary school for preschool age through First grades on property owned by the Midland Church of the Brethren; and,

WHEREAS, the Special Exception Application of the Midland Christian Academy has been properly filed and all required notices of the public hearing have been properly made, and the applicant has presented evidence both oral and documentary, and the staff has a filed staff report, all indicating compliance with the general standards for special exception as set forth in Article 5 of the Zoning Ordinance and the Board further finds that the less restrictive standards of paragraphs 501, 503 and 504 of Article 5 of said Zoning Ordinance are met in this application; now therefore, be it

RESOLVED, by the Fauquier County Board of Supervisors this 21st day of May 1996, That Special Exception #SE96-CR-06, Midland Christian Academy (PIN 7900-44-3251; 7900-44-1117; 7900-43-3970), be and is hereby, approved subject to the following conditions:

1. The 1.5996 acre parcel, presently owned by Mr. Don Tharpe, shall be

deeded to the Midland Church of the Brethren for the operation of the Midland Christian Academy within ninety (90) days of special exception approval.

2. Without an amendment to this special exception, the school operation shall be limited to preschool through First grade with a maximum enrollment of 60 students, limited to a maximum of 45 occupants (students and staff) on-site on any one day.

3. Hours of operation shall be limited from 7:00 a.m. to 5:00 p.m., Monday through Friday.

4. No more than twenty-three (23) preschool students shall occupy the designated playground at any one time; and no more than eleven (11) K - 1 students shall occupy the designated playground at any one time.

5. The circular drive shall be one-way directional with the north access designated as the point of ingress and the south access designated as the point of egress. The direction shall be adequately marked through a combination of signage and pavement markings.

6. A pedestrian walkway shall be constructed to connect the southern most parking area with the proposed school buildings. This walkway shall be no less than a gravel paved path and four (4) feet in width.

7. All areas designated for outdoor recreation shall be fully fenced.

8. The applicant shall maintain at all times occupancy permits for all structures, Health Department approvals and conformance State fires codes.

9. All school accreditation requirements shall be in conformance with state regulations.

SPECIAL EXCEPTION - THOMAS F. STAFFORD, ESTATE - ALTERNATE WASTE  
SYSTEM

A public hearing was held to consider a request for special exception approval from the Thomas F. Stafford Estate to operate an alternative waste water treatment system in the reserve drainfield. The property is located on the west side of Old Mill Road (Route 602) south of its intersection with Ritchie Road (Route 644), PIN #7818-11-1785, Cedar Run District. Carl Stafford spoke in favor of the request. No one else spoke. The public hearing was closed. Mr. Burton moved to adopt the following resolution. Mr. Weeks seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur  
W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

#### RESOLUTION

A RESOLUTION TO APPROVE SPECIAL EXCEPTION

REQUEST #SE96-CR-07

THOMAS STAFFORD ESTATE

WHEREAS, the applicant, Thomas Stafford Estate, is requesting a special exception to allow the operation of an alternative wastewater system in the reserve drainfield on the property as identified by PIN 7818-11-1785; and

WHEREAS, the Special Exception Application of the Thomas Stafford Estate has been properly filed and all required notices of the public hearing have been properly made, and the applicant has presented evidence both oral and documentary, and the staff has a filed staff report, all indicating compliance with

the general standards for special exception as set forth in Article 5 of the Zoning Ordinance and the Board further finds that the less restrictive standards of Article 5 paragraph 2002 of said Zoning Ordinance are met in this application; now therefore, be it

RESOLVED, by the Fauquier County Board of Supervisors this 21st day of May 1996, That Special Exception #SE96-CR-07, Thomas Stafford Estate (PIN 7818-11-1785), be and is hereby, approved subject to the following conditions:

1. This approval is for a sand filtration/shallow drainfield reserve system to serve the said 189 acre parcel as identified by (PIN 7818-11-1785).
2. This system shall be in conformance with all County and State Department of Health requirements at all times.
3. The existing hand dug well, located within a portion of the proposed reserve drainfield area, shall be abandoned as specified by the minimum requirements of the state private well regulations.
4. The deed for this property shall indicate that this system exists on the site and note the conditions of special exception approval.

SPECIAL EXCEPTION - FAUQUIER COUNTY SCHOOL BOARD - M.M. PIERCE  
ELEMENTARY SCHOOL

A public hearing was held to consider a request for special exception approval from the Fauquier County School Board to allow for an addition and alterations to the existing M.M. Pierce Elementary School. The property is located on Business Route 15/29 just west of the corporate limits of the Town of Remington, PIN #6887-19-1836-000 and PIN #6888-10-0592-000, Lee District. Jim Snyder, representing the School Board, and Jim Helm, representing the

Remington United Methodist Church, spoke in favor of the request. No one else spoke. The public hearing was closed. Mr. Mangum moved to adopt the following resolution. Mr. Brumfield seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

#### RESOLUTION

A RESOLUTION TO APPROVE SPECIAL EXCEPTION

REQUEST #SE96-L-09

FAUQUIER COUNTY PUBLIC SCHOOLS/M. M. PIERCE ELEMENTARY SCHOOL

WHEREAS, the applicant, Fauquier County Public Schools is requesting special exception approval to allow for an addition and alteration to the existing M. M. Pierce Elementary School which will expand the school by over 50,000 square feet; and

WHEREAS, the elementary schools in Southern Fauquier County are at capacity and M. M. Pierce currently must utilize five (5) trailers; now therefore, be it

RESOLVED, by the Fauquier County Board of Supervisors this 21st day of May 1996, THAT Special Exception #SE96-L-09, Fauquier County Public Schools/M. M. Pierce Elementary School, be and is hereby, approved subject to the following conditions:

1. The County School Board will work with the County's Parks and Recreation Department concerning the layout of the proposed recreational facilities at the M. M. Pierce School.
2. A stormwater management facility will be constructed as part of any redevelopment of the M. M. Pierce School.
3. The applicant will construct all the road improvements required by the Virginia Department of Transportation for the roadways serving the property.
4. The applicant will effectively screen the sixty (60) space lot located on the southern boundary of the site from the adjacent residentially zoned property.
5. The applicant will fence all outdoor recreation areas of the site.
6. The occupancy of the school will not exceed 300 students until a variance is obtained from the Board of Zoning Appeals or until the Board of Supervisors amends the Zoning Ordinance.

#### COMPREHENSIVE PLAN AMENDMENT - MARSHALL SERVICE DISTRICT

A public hearing was held to consider amending the Marshall Service District map in order to change the designation of approximately 35 acres of land on the east side of Business Route 17 at the entrance of the 17/66 Industrial Park from high density residential uses to a planned industrial district and one acre of

commercial highway use. No one spoke. The public hearing was closed. Mr. Green moved to table the decision until the June 4, 1996 meeting. Mr. Weeks seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

#### COMPREHENSIVE PLAN AMENDMENT - CHAPTER 6

A public hearing was held to consider amending Chapter 6 (Service Districts) of the Comprehensive Plan to create a new land use designation of Planned Commercial/Industrial District. Ben Jones spoke in favor of the amendment but reserved comments until the Comprehensive Plan Amendment for Leon B. Zeiger is heard. Chuck Rose also asked to reserve comments until Mr. Zeiger's request is heard. The public hearing was closed. Mr. Burton moved to adopt the following resolution. Mr. Brumfield seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

#### RESOLUTION

A RESOLUTION TO APPROVE COMPREHENSIVE PLAN AMENDMENTS TO  
CHAPTER 6 ESTABLISHING THE PLANNED COMMERCIAL/INDUSTRIAL DISTRICT

WHEREAS, the Fauquier County Planning Commission has filed an application to amend the Fauquier County Comprehensive Plan in accordance with the provisions of Article 13-202 of the Fauquier County Zoning Ordinance; and

WHEREAS, this amendment is to create a new land use designation of Planned Commercial/Industrial District which would allow for a mixture of commercial and industrial uses to be developed on a large tract under a single ownership with effective buffers from adjacent properties; and

WHEREAS, the Fauquier County Planning Commission held a public hearing on April 25, 1996 regarding this comprehensive plan amendment; and

WHEREAS, the Board of Supervisors on May 21, 1996, held a public hearing on this Comprehensive Plan Amendment; now, therefore, be it

RESOLVED, by the Fauquier County Board of Supervisors this 21st day of May, 1996, That the Comprehensive Plan Amendments to Chapter 6 of the Comprehensive Plan establishing the Planned Commercial/Industrial District in accordance with the attached modifications be, and is hereby, approved.

COMPREHENSIVE PLAN AMENDMENT - LEON B. ZEIGER

A public hearing was held to consider a request to amend the Comprehensive Plan for the Opal Service District. Leon B. Zeiger requests that the designation of a 27 acre parcel, with frontage on Routes 15 and 29, south of the

Opal intersection with Route 17, be changed from low density residential to a mixture of commercial and light industrial. Also part of the original request was the proposed addition of 65 acres to the Opal Service District with a designation of light industrial. Ben Jones and Lomax Covington spoke in favor of the request. Chuck Rose and Kitty Smith spoke in opposition. The public hearing was closed. Mr. Mangum moved to table the decision until the June 4, 1996 meeting. Mr. Burton seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur  
W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks  
Nays: None  
Absent During Vote: None  
Abstention: None

#### EXECUTIVE SESSION

Mr. Green moved to go into executive session pursuant to Virginia Code Section 2.1-344(A)(1) for discussion or consideration of a personnel matter and Section 2.1-344(A)(7) for consultation with legal counsel pertaining to actual litigation. Mr. Burton seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur  
W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks  
Nays: None  
Absent During Vote: None  
Abstention: None

Upon reconvening from executive session, Mr. Green moved to adopt the following certification. Mr. Burton seconded.

CERTIFICATION OF EXECUTIVE MEETING

WHEREAS, the Fauquier County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provision of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by this Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law; now, therefore, be it

RESOLVED this 21st day of May 1996, That the Fauquier County Board of Supervisors certifies that, to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Fauquier County Board of Supervisors.

VOTE:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks

Nays: None

Absent During Vote: None

Absent During Meeting: None

With no further business, the meeting was adjourned.